

**REMARKS**

This is in response to the telephone conversation between Examiner Marc S. Zimmer and Douglas J. Sorocco on May 17, 2005.

In view of the submission of a terminal disclaimer, it is respectfully submitted that the claims are in condition for allowance.

**Rejection of Claims Under the Judicially Created Doctrine of Obviousness-type Double Patenting**

In the telephone conversation between Examiner Marc S. Zimmer and Douglas J. Sorocco on May 17, 2005 and in the Interview Summary dated May 17, 2005, the Examiner provisionally rejected claims 1-11, 13-23, 38, 39, and 41-52 under the judicially created doctrine of obviousness-type double patenting over U.S. Patent No. 6,342,097.

Applicant respectfully submits that the Examiner's rejection under the judicially created doctrine of obviousness-type double patenting is overcome in view of the terminal disclaimer submitted herewith in accordance with the provisions of 37 C.F.R. 1.30(b). The terminal disclaimer shows the subject application is commonly owned with U.S. Patent No. 6,342,097. In view thereof, it is respectfully requested that the Examiner withdraw the rejection of claims 1-11, 13-23, 38, 39, and 41-52 under the judicially created doctrine of obviousness-type double patenting, as applicable to the claims now pending in the application.

In view of the above, Applicants respectfully suggest the claims are now in a condition for allowance and request issuance of a Notice of Allowance thereof.

Respectfully submitted,



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